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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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| 09/498,559 | 02/04/00 | SACKINGER | E |

MM92/1115
Docket Administrator (RM 3C-512)
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EXAMINER

LE, D

ART UNIT

PAPER NUMBER

2816

DATE MAILED: 11/15/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trad marks

Office Action Summary

Application No.
09/498,559

Applicant(s)
SACKINGER

Examiner
DINH LE

Group Art Unit
2816



☐ Responsive to communication(s) filed on _____.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-19 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-19 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☒ The proposed drawing correction, filed on Feb 4, 2000 is ☒ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 3

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Oath/Declaration

The declaration is acceptable.

Information Disclosure Statement

The reference cited on the PTOL 1449 form has been considered.

Drawings

The drawings are approved.

Specification

The specification has been checked to the extent necessary to determine the presence of all possible minor errors. However, the applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections

Claim Rejections - 35 USC § 112

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Claims 1-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Correction or clarification is required.

In claim 1, the recitation “the terminal” on line 5 and “the same sign” on line 9 lacks antecedent basis. It is not understood what the sign of the voltage is and how the voltage can have a sign.

In claim 2, the recitation “said other terminal” lacks antecedent basis.

In claims 4-5, it is not understood what the “negative/positive metal oxide semiconductor” are. Insofar as understood, no such types of transistors are seen in the electronic components. The same is true for claim 8-9 and 18.

In claim 14, “the range” on line 3 lacks antecedent basis. It is unclear what the range is and how the voltages can be supplied to the circuit and where the power supply comes from. The same is true for claims 16 and 18.

In claim 16, it is not understood how the inductor can be characterized.

The remaining claims are depending from the above rejected claims and therefore also considered indefinite.

Claim Rejections - 35 U.S.C. § 103

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-12, 14 and 16-19 are rejected under 35 USC 103 (a) as being unpatentable over Kobayashi (US Pat. 5,821,825).

Figures 1-3 of the Kobayashi discloses an active inductor (22) comprising a transistors (M2-M3) having the gate coupled to tuning voltage (V_{tune1}) or to the supply source (V_{ee}) but doe snot disclose that the gate voltage is higher the power source voltage as called for in the claims. Since the transistors (M2-M3) of Kobayashi function as the variable resistors, the resistance values of the variable resistors are determined by the gate voltages. The transistor having low threshold voltage requires a small gate voltage to be turned on while the transistors having large threshold voltage needs larger gate voltage to operate. If the supply source (V_{ee}) of Kobayashi is smaller than the threshold voltages of the transistors (M2-M3), the transistors cannot function. In tis case a voltage multiplier should be used for boosting the gate voltages of the trasistors. Thus, employing a voltage booster in the circuit of Kobayashi is a common practice and is considered to be a matter of a design expedient for an engineer depending upon the supply

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source is to be used. A skilled artisan would be motivated to employ the voltage booster in the circuit of Kobayashi for the purpose of accommodating with the supply source.

Allowable Subject Matter

Claims 13 and 15 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

The claims would be allowable because the prior art references do not show the detail structure of the voltage generator.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Dinh Le whose telephone number is (703) 305-3790. The examiner can normally be reached on Monday to Friday from 7:00 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Callahan, can be reached on (703) 308-4876. The fax phone number for this Group is (703) 308-7725.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.



DINH LE
Primary Examiner
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November 9, 2000